

REMARKS

Upon entry of the instant Amendment, claims 1-3 and 5-25 will remain pending in the present application.

Further to the amendments in the Response filed January 25, 2008, in the instant Amendment, claims 1, 14, 16-18, 20 and 24 have been amended to clarify the present invention by amending formulas (2) and (3), respectively. Thus, the instant Amendment made herein to the claims does not incorporate new matter into the application as originally filed.

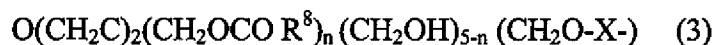
Accordingly, proper consideration of each of the pending claims is respectfully requested at present, as is entry of the present amendment.

The Examiner's Indication

Applicant appreciates the Examiner's courtesy in contacting Applicant's Representatives to point out inconsistency between formulas (2) and (3) and the explanation of substituent (especially "R⁸") in the claims. In order to remove such an inconsistency, claims 1, 14, 16-18, 20 and 24 have been amended. Thus, Applicant respectfully requests that the Examiner enter the present amendment to the claims.

Amendment to the Claims

Formulas (2) and (3) in claims 1, 14, 16-18, 20 and 24 have been amended as shown below.



The co-pending Application No. 10/556,578 relates to the behenic acid ester. On the other hand, in the present invention, esters or other higher fatty acid attain the same advantage as the behenic acid ester, because commercially available behenic acid is not pure but a mixture of fatty acids of various carbon numbers as described in the specification at page 4, line 36 to page 5, line 1.

Incorporation of Earlier Remarks

On January 25, 2008, Applicant filed the response to the Office Action of October 25, 2007. Accordingly, the remarks set forth in the prior response of January 25, 2008, are incorporated herein by reference. Upon entry of the remarks therein and the instant amendment to the claims, it is submitted that the outstanding rejection and objection have been overcome and with the result being that each of the pending claims are now in condition for allowance.

CONCLUSION

Based upon the amendments and remarks presented herein, the Examiner is respectfully requested to issue a Notice of Allowance clearly indicating that each of the pending claims are allowed.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gerald M. Murphy, Jr. (Reg. No. 28,977) at the telephone number below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: February 21, 2008

Respectfully submitted,

By 

Gerald M. Murphy, Jr.

Registration No.: 28,977

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant